

REMARKS

1. Present Status of Patent Application

This is a full and timely response to the outstanding final Office Action mailed September 28, 2006. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

2. Interview Summary

Applicant first wishes to express his sincere appreciation for the time that Examiner Chang spent with Applicant's Attorney, Charles Griggers, during a telephone discussion on November 21, 2006 regarding the outstanding Office Action. During the conversation, potential amendments were discussed that are contained herein. The Examiner seemed to indicate that it would be potentially beneficial for Applicant to make these amendments. Thus, Applicant respectfully requests that Examiner carefully consider this response and the amendments.

3. Response to Rejection of Claims Under 35 U.S.C. § 103(a)

In the Office Action, claims 1, 2, 4-11, and 14-16 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Sumner* (U.S. Patent Application No. 2002/0061003) in view of *Arnold* (U.S. Patent No. 6,965,918) in further view of *Fox* (U.S. Patent Publication No. 2004/0068665). Claim 17 stands rejected as allegedly being unpatentable over *Sumner* in view of *Fox* in further view of *Arnold* in further view of *Skladman* (U.S. Patent No. 6,400,810). Claims 18-28, 31-33, 35, 36, 40-42, 45, and 47-50 stand rejected as allegedly being unpatentable over *Sumner* in view of *Fox* in further view of *Arnold* in further view of *Garakani* (U.S. Patent Publication No. 2002/0064137). Claims 34, 43, 44, 51, and 52 stand rejected as allegedly being unpatentable over *Sumner* in view of *Fox* in further view of *Arnold* in further view of *Garakani* in further view of *Skladman*. Claims 12 and 13 stand rejected as allegedly being unpatentable over *Sumner* in view of *Fox* in further view of *Arnold* in further view of *Ng* (U.S. Patent No. 6,640,301). Claims 29, 30, 37-39, and 46 stand rejected as allegedly being unpatentable over *Sumner* in view of *Fox* in further view of *Arnold* in further view of *Garakani* in further view of *Ng*.

a. Claim 1

As provided in independent claim 1, Applicant claims:

An apparatus for notifying a subscriber of new email messages located at a post office, comprising:

a wireless proxy email client in communication with a wireless network and a post office via an external network, ***the wireless proxy email client utilizing information from a file containing the subscriber's information to periodically check for new email messages by generating a request to a wireless proxy email server to access the subscriber's email account at the post office at the external network, the wireless proxy email client retrieving a portion of an email message from the subscriber's account to uniquely identify the email message and determine if the email message is a new email message; and sending a notification to a wireless device of the subscriber for alerting the subscriber of the new email message at the post office enabling the wireless device to retrieve the new email message directly from the post office.***

(Emphasis added).

Applicant respectfully submits that independent claim 1 is allowable for at least the reason that *Sumner* in view of *Fox* in further view of *Arnold* does not disclose, teach, or suggest at least "the wireless proxy email client utilizing information from a file containing the subscriber's information to periodically check for new email messages by generating a request to a wireless proxy email server to access the subscriber's email account at the post office at the external network, the wireless proxy email client retrieving a portion of an email message from the subscriber's account to uniquely identify the email message and determine if the email message is a new email message; and sending a notification to a wireless device of the subscriber for alerting the subscriber of the new email message at the post office enabling the wireless device to retrieve the new email message directly from the post office," as recited in claim 1 and generally described on pages 3-5 of the specification, among others.

For example, *Sumner* describes that email messages received at an email server may be redirected to a wireless device. To do so, an email message is sent to a wireless gateway which sends the message to the wireless device. Instead of sending the whole message, the wireless gateway may send a portion of the email message to

the wireless device. *Sumner* does not describe a wireless proxy email client checking for messages (by generating requests to a wireless proxy email server) and sending notification messages to a wireless device if new messages are found. Further, *Fox* describes a proxy server receiving a notification request from a web server in a format understood by the proxy server and then servicing the request by sending a notification (of an update of content on the web server, for example) to a wireless unit in the particular format understood by the wireless unit. *Fox* does not disclose that a wireless proxy email client checks for new messages (by generating requests to a wireless proxy email server) and then sends notification messages if new messages are determined to have been received at a post office for a user. Likewise, *Arnold* describes a proxy server being used to mediate delivery of messages between a client workstation and multiple email servers. *Arnold* does not disclose that a wireless proxy email client checks for new messages (by generating requests to a wireless proxy email server) and then sends notification messages if new messages are determined to have been received at a post office for a user.

Further, it is noted, in accordance with the application disclosure and the cited references, that a client program does not provide a service to some other client program or application. It does not receive a request from another client and then act on it. Rather, the client requests a service from a server.

As such, the cited references do not teach or suggest, individually or in combination, at least "the wireless proxy email client utilizing information from a file containing the subscriber's information to periodically check for new email messages by generating a request to a wireless proxy email server to access the subscriber's email account at the post office at the external network, the wireless proxy email client retrieving a portion of an email message from the subscriber's account to uniquely identify the email message and determine if the email message is a new email message; and sending a notification to a wireless device of the subscriber for alerting the subscriber of the new email message at the post office enabling the wireless device to retrieve the new email message directly from the post office," as recited in claim 1.

Therefore, a *prima facie* case establishing an obviousness rejection by *Sumner* in view of *Fox* in further view of *Arnold* has not been made. Thus, claim 1 is not obvious under proposed combination and the rejection should be withdrawn.

b. Claims 2 and 4-17

For at least the reasons given above, claim 1 is allowable over the cited art of record. Since claims 2 and 4-17 depend from claim 1 and recite additional features, claims 2 and 4-17 are allowable as a matter of law over the cited art. Moreover, the cited references of *Skladman* and *Ng* fail to cure the deficiencies of the *Sumner*, *Fox*, and *Arnold* references.

Additionally and notwithstanding the foregoing reasons for the allowability of claims 2 and 4-17, these dependent claims recite further features and/or combinations of features (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

c. Claim 18

As provided in independent claim 18, Applicant claims:

A system for notifying a subscriber of new email messages located at a post office, comprising:

a wireless proxy email client in communication with a wireless network and a post office via an external network, the wireless proxy email client utilizing information from a file containing the subscriber's information to periodically check for new email messages by generating a request to a wireless proxy email server to access the subscriber's email account at the post office, the wireless proxy email client retrieving a portion of a new email message to determine whether the subscriber has been notified of the new email message previously and sending a notification to a wireless device of the subscriber for alerting the subscriber of the new email message at the post office enabling the wireless device to retrieve the new email message directly from the post office if the subscriber has not been notified previously about the new email message.

(Emphasis added).

Applicant respectfully submits that independent claim 18 is allowable for at least the reason that *Sumner* in view of *Fox* in further view of *Arnold* in further view of *Garakani* does not disclose, teach, or suggest at least "a wireless proxy email client in communication with a wireless network and a post office via an external network, the wireless proxy email client utilizing information from a file containing the subscriber's information to periodically check for new email messages by generating a request to a wireless proxy email server to access the subscriber's email account at the post office, the wireless proxy email client retrieving a portion of a new email message to determine whether the subscriber has been notified of the new email message previously and sending a notification to a wireless device of the subscriber for alerting the subscriber of the new email message at the post office enabling the wireless device to retrieve the new email message directly from the post office if the subscriber has not been notified previously about the new email message," as recited in claim 18.

For example, *Sumner* describes that email messages received at an email server may be redirected to a wireless device. To do so, an email message is sent to a wireless gateway which sends the message to the wireless device. Instead of sending the whole message, the wireless gateway may send a portion of the email message to the wireless device. *Sumner* does not describe a wireless proxy email client checking for messages (by generating requests to a wireless proxy email server) and sending notification messages to a wireless device if new messages are found. Further, *Fox* describes a proxy server receiving a notification request from a web server in a format understood by the proxy server and then servicing the request by sending a notification (of an update of content on the web server, for example) to a wireless unit in the particular format understood by the wireless unit. *Fox* does not disclose that a wireless proxy email client checks for new messages (by generating requests to a wireless proxy email server) and then sends notification messages if new messages are determined to have been received at a post office for a user. Likewise, *Arnold* describes a proxy server being used to mediate delivery of messages between a client workstation and multiple email servers. *Arnold* does not disclose that a wireless proxy email client checks for new messages (by generating requests to a wireless proxy email server) and then sends notification messages if new messages are determined to have been

received at a post office for a user. Also, *Garakani* appears to describe a system with modem gateways that notify each other of an active data segment and not the claimed features.

Further, it is noted, in accordance with the application disclosure and the cited references, that a client program does not provide a service to some other client program or application. It does not receive a request from another client and then act on it. Rather, the client requests a service from a server.

As such, the cited references do not teach or suggest, individually or in combination, at least "a wireless proxy email client in communication with a wireless network and a post office via an external network, the wireless proxy email client utilizing information from a file containing the subscriber's information to periodically check for new email messages by generating a request to a wireless proxy email server to access the subscriber's email account at the post office, the wireless proxy email client retrieving a portion of a new email message to determine whether the subscriber has been notified of the new email message previously and sending a notification to a wireless device of the subscriber for alerting the subscriber of the new email message at the post office enabling the wireless device to retrieve the new email message directly from the post office if the subscriber has not been notified previously about the new email message," as recited in claim 18.

Therefore, a *prima facie* case establishing an obviousness rejection by *Sumner* in view of *Fox* in further view of *Arnold* in further view of *Garakani* has not been made. Thus, claim 18 is not obvious under proposed combination and the rejection should be withdrawn.

d. Claims 19-34

For at least the reasons given above, claim 18 is allowable over the cited art of record. Since claims 19-34 depend from claim 18 and recite additional features, claims 19-34 are allowable as a matter of law over the cited art of record. Moreover, the cited references of *Skladman* and *Ng* fail to cure the deficiencies of the *Sumner*, *Fox*, *Arnold*, and *Garakani* references.

Additionally and notwithstanding the foregoing reasons for the allowability of claims 19-34, these dependent claims recite further features/elements and/or combinations of features/elements (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

e. Claim 35

As provided in independent claim 35, Applicant claims:

A method for notifying a subscriber of new email messages located at a post office, comprising:
establishing communication with a wireless proxy email client via an external network;

utilizing a subscriber's information contained in a file to periodically check for new email messages by generating a request to a wireless proxy email server to access the subscriber's email account at the post office;

retrieving a portion of an email message by the wireless proxy email client from the post office to uniquely identify the email message;

determining whether the subscriber has been previously notified about the email message; and

sending a notification to a wireless device of the subscriber for alerting the subscriber of the email message at the post office about which the subscriber has not been previously notified enabling the wireless device to retrieve the email message directly from the post office.

(Emphasis added).

Applicant respectfully submits that independent claim 35 is allowable for at least the reason that *Sumner* in view of *Fox* in further view of *Arnold* in further view *Garakani* does not disclose, teach, or suggest at least "utilizing a subscriber's information contained in a file to periodically check for new email messages by generating a request to a wireless proxy email server to access the subscriber's email account at the post office; retrieving a portion of an email message by the wireless proxy email client from the post office to uniquely identify the email message; determining whether the subscriber has been previously notified about the email message; and sending a notification to a wireless device of the subscriber for alerting the subscriber of the email

message at the post office about which the subscriber has not been previously notified enabling the wireless device to retrieve the email message directly from the post office," as recited in claim 35.

For example, *Sumner* describes that email messages received at an email server may be redirected to a wireless device. To do so, an email message is sent to a wireless gateway which sends the message to the wireless device. Instead of sending the whole message, the wireless gateway may send a portion of the email message to the wireless device. *Sumner* does not describe a wireless proxy email client checking for messages (by generating requests to a wireless proxy email server) and sending notification messages to a wireless device if new messages are found. Further, *Fox* describes a proxy server receiving a notification request from a web server in a format understood by the proxy server and then servicing the request by sending a notification (of an update of content on the web server, for example) to a wireless unit in the particular format understood by the wireless unit. *Fox* does not disclose that a wireless proxy email client checks for new messages (by generating requests to a wireless proxy email server) and then sends notification messages if new messages are determined to have been received at a post office for a user. Likewise, *Arnold* describes a proxy server being used to mediate delivery of messages between a client workstation and multiple email servers. *Arnold* does not disclose that a wireless proxy email client checks for new messages (by generating requests to a wireless proxy email server) and then sends notification messages if new messages are determined to have been received at a post office for a user. Also, *Garakani* appears to describe a system with modem gateways that notify each other of an active data segment and not the claimed features.

Further, it is noted, in accordance with the application disclosure and the cited references, that a client program does not provide a service to some other client program or application. It does not receive a request from another client and then act on it. Rather, the client requests a service from a server.

As such, the cited references do not teach or suggest, individually or in combination, at least "utilizing a subscriber's information contained in a file to periodically check for new email messages by generating a request to a wireless proxy

email server to access the subscriber's email account at the post office; retrieving a portion of an email message by the wireless proxy email client from the post office to uniquely identify the email message; determining whether the subscriber has been previously notified about the email message; and sending a notification to a wireless device of the subscriber for alerting the subscriber of the email message at the post office about which the subscriber has not been previously notified enabling the wireless device to retrieve the email message directly from the post office," as recited in claim 35.

Therefore, a *prima facie* case establishing an obviousness rejection by *Sumner* in view of *Fox* in further view of *Arnold* in further view of *Garakani* has not been made. Thus, claim 35 is not obvious under proposed combination and the rejection should be withdrawn.

f. Claims 36-52

For at least the reasons given above, claim 35 is allowable over the cited art of record. Since claims 36-52 depend from claim 35 and recite additional features, claims 36-52 are allowable as a matter of law over the cited art of record. Moreover, the cited references of *Skladman* and *Ng* fail to cure the deficiencies of the *Sumner*, *Fox*, *Arnold*, and *Garakani* references.

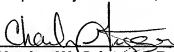
Additionally and notwithstanding the foregoing reasons for the allowability of claims 36-52, these dependent claims recite further features/steps and/or combinations of features/steps (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

CONCLUSION

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. In addition, Applicant does not intend to admit anything regarding any other statements in the Office Action that is not explicitly referenced in this response. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,



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